

### III. REMARKS

1. Claims 1, 7, 14, 15, 21 and 28 are amended. Claims 1-28 are pending in this Application.

2. Claims 1-28 are patentable under 35 U.S.C. 103(a) over Shih et al., U.S. Patent No. 6,405,362 ("Shih") in view of Garney, U.S. Patent No. 5,319,751. Claim 1 recites in part executing the loading of the user interface software in at least two phases, wherein the first phase includes conducting the loading and start-up of the basic module, and the second phase includes conducting the loading and start-up of the user interface module when the expansion card is coupled to the electronic device and the basic module is already loaded. Neither Shih nor Garney disclose or suggest these features.

In Shih, after the computer readable medium (e.g. the feature/expansion card) is inserted an event indicating that a removable computer readable medium was inserted is received by the shell (205) (Col. 6, L. 32-37). The shell (205) notifies the event monitor (210), via a message, of the insertion of the computer readable medium (Col. 6, L. 41-51). In response to the insertion message, the event monitor (210) searches the computer readable medium that was just inserted for an autorun program (215) (Col. 6, L. 56-59). After locating the appropriate autorun program (215) the event monitor (210) runs the program, passing it a command line indicating that it (i.e. the autorun program) is to install and/or run the application (220) on the computer readable medium. This is not what is claimed by Applicant.

In Shih, the autorun program (215), which installs the application (220) is activated only after the insertion of the expansion card is detected (Col. 6, L. 56-59; Col. 7, L. 19-22).

It follows that the application (220) is also installed only after the expansion card is inserted because the autorun program invoked at (315, Fig. 3) performs the installation of one or more software applications resident on the compact flash memory card (Col. 9, L. 24-28). Thus, both the autorun program (205) and application (220) in Shih are activated after insertion of the card, which is unlike what is claimed by Applicant. Claim 1, explicitly recites that the basic module is "already loaded" during the second phase (e.g. before the expansion card is coupled to the electronic device). The first phase is loading the basic module and the second phase includes loading the user interface module "when the expansion card is coupled". The basic module is loaded before the card is coupled which is unlike Shih.

Combining Garney with Shih does not remedy this defect. In Garney, upon insertion of the card into the computer system, the device driver stub code image is read from the card memory area and transferred into an area of the computer system memory. The device driver stub code is then executed by the processor of the computer system. The full device driver code is not transferred to the computer system random access memory, rather the full device driver is executed while still resident on the card. (Abstract). Thus, the stub is loaded onto the computer system only after the card is inserted and the full device driver is executed only after the card is inserted. Again, applicant claims that the basic module is loaded in the first phase, and the second phase includes loading the user interface module "when the expansion card is coupled". Therefore, the combination of Shih and Garney does not disclose executing the loading of the user interface software in at least two phases as claimed in Applicant's claim 1 when the second phase occurs when the card is inserted.

In addition, in the Examiner's arguments, the Examiner equates the event monitor (210) of Shih to the basic module of Applicant's claim 1 (Pg. 2, 5<sup>th</sup> paragraph of item 3 of the Office Action mailed March 7, 2006). The event monitor (210) is not the same as the claimed basic module and the Examiner's statement that "the basic module is not a universal module but a module from the expansion card" (Examiner's Response to Arguments, pg. 10 paragraph (B) of the Office Action dated March 7, 2006) is inaccurate and unfounded. Applicant stated in its previous response that "the basic module is not a universal basic module but a basic module of a particular expansion card". Nowhere did Applicant state nor did Applicant imply that the basic module was from the expansion card as the Examiner so claims. In fact, claim 1 recites that "the basic module is already loaded" when the expansion card is coupled to the electronic device. This would be impossible if the basic module was from the expansion card as the Examiner suggests.

Further, the event monitor (210) of Shih is not part of the user interface software (i.e. application 220) of the flash card. Rather, the event monitor (210) is part of the operating system (200) of the Palm-size PC (Fig. 2). The event monitor (210) is a generic piece of software that can be used to activate the autorun program (215) located on the flash card after the card is inserted. Thus, the event monitor (210) cannot be the same as the basic module claimed by Applicant.

Also, the stub portion of the device driver in Garney cannot be a basic module as claimed by Applicant either. The stub portion is only loaded on the computer system after the card is inserted whereas Applicant's claim 1 recites that "the basic module is already loaded" during the second phase.

Moreover, claim 1 further recites that the basic module loads the user interface module. In Shih the event monitor (210) does not load the software application (220), rather the autorun program (215) installs the application (220) onto the Palm-size PC (Col. 6, L.56-59; Col. 7, L. 19-22). In Garney, the stub portion is not the same as the basic module as described above. Thus the combination of Shih and Garney fails to disclose or suggest this feature of claim 1 as well.

Claim 1 also recites that the user interface software is divided into at least a basic module and a user interface module. The basic module and the user interface module are separate parts of the same user interface software and are stored within the electronic device. The combination of Shih and Garney fails to disclose or suggest the feature that both the basic module and the user interface module are stored within the electronic device. Rather, both Shih and Garney rely on applications or software that are stored on the "card" itself. This is quite different from what is claimed by Applicant where both modules of the user interface software are stored on the electronic device not the card.

Shih also discloses the use of an autorun program (Col. 6, L. 56-69). In response to an insertion message, from the shell (205) that a compact flash or PCMCIA card has been inserted, the event monitor (210) searches the computer readable medium that was just inserted for an autorun program (215) (Col. 6, L. 56-59). After locating the appropriate autorun program (215), the event monitor (210) runs the program, passing it a command line indicating that it is to install and/or run the application (220) on the computer readable medium (Col. 7, L. 19-22). The autorun program (215) remains on the card and is not transferred to the Palm-size PC.

Thus, Shih looks for a program on the card not the device as claimed by Applicant. Therefore, Shih cannot disclose that the event monitor (210) and the autorun program (215) are stored within the electronic device.

Rather, in Shih, the "first phase" described by the Examiner involves, after the card is "inserted" and such insertion is detected, the event monitor (210) searching the medium on the card that "was just inserted" for the autorun program (215) (Col. 6, L. 56-59). Column 6, lines 25-37 referred to by the Examiner makes absolutely no mention of "loading" or "start-up" as referred to by the Examiner. Rather, all that is stated here is that the operating system (200) "receives" an event indicating that the removable computer-readable medium was inserted.

The Examiner states that the "second phase" is when the autorun program invoked at (315) performs an installation of a software application "resident" on the compact flash memory card. However, this is again clearly not the same as what Applicant claims because the autorun program is "resident" on the memory card (Col. 9, L. 20-23), and the application is "resident" on the card. This is totally different than what is recited in Applicant's claim 1. Again, claim 1 recites that both the basic module and the user interface module are "stored within the electronic device".

Combining Shih with Garney does little to overcome at least these noted deficiencies. In Garney, the full device driver portion and the stub device driver portion are both on the feature card (Abstract, lines 5-7). The full device driver code remains resident on the card and is not transferred to the computer system random access memory (Col. 3, L. 61-62; Col. 4, L. 1-2). Thus, when the feature card is installed to the host device (i.e.

the computer system) the host device detects the installation and loads only the stub portion from the feature card into the memory of the host device.

However, as claimed by Applicant, both the basic module and the user interface module are stored within the electronic device. Therefore, because neither Shih nor Garney disclose or suggest that both the basic module and the user interface module are stored within the electronic device, as recited in claim 1, their combination cannot as well. Independent claims 7, 14, 15, 21 and 28 are patentable over the combination of Shih and Garney for reasons similar to those described above with respect to claim 1. Dependent claims 2-6, 8-13, 16-20 and 22-27 are patentable over the combination of Shih and Garney at least by reason of their respective dependencies.

Further, with respect to claim 15, the Examiner argues that "optionally stopping the loading between the phases" is implicitly disclosed in Figure 3 of Shih (Pg. 8, 1st paragraph of the Office Action dated March 7, 2006). Applicant fails to see where this is implicitly disclosed in Figure 3 when nowhere in Shih is it even remotely mentioned that a user can "stop the loading between the phases" as recited in claim 15. When the card of Shih is inserted, the messages received by the event monitor (210) are automatically generated. When the event monitor (210) receives the message it automatically searches for the autorun program (215) on the computer-readable medium (i.e. the card) that was just inserted. Nowhere in Shih is it disclosed that these messages or searching for the autorun program (215) can be stopped. The Examiner also argues that stopping the installation before it starts reads on "optionally stopping". The only way a user of Shih can stop the installation

is by not inserting a card, which is not even close to what is claimed by Applicant. Nowhere does Shih disclose or suggest "optionally stopping the loading between the phases" as claimed in claim 15.

The combination of Shih and Garney does not disclose or suggest at least the above noted features as claimed and there is no motivation to modify the reference to achieve what is claimed by Applicant. The Examiner is reminded that a *prima facie* rejection under 35 U.S.C. 103(a) requires that each and every element of the claims be taught by the combination of the references and that the "motivation" to modify and combine the subject references come from the references themselves. (See M.P.E.P. § 2142). No such teaching is found here. Thus, a *prima facie* case of obviousness cannot be established.

Neither Shih nor Garney provide any suggestion or motivation to be combined or modified as proposed by the Examiner and the Examiner's proposition that Applicant's claims would be obvious is not supported by the factual contents of Shih and Garney as described above. Motivation for purposes of 35 U.S.C. 103(a) requires that the reference itself and/or the knowledge generally available to one skilled in the art provide the requisite motivation or suggestion to modify the reference.

If Shih and Garney were combined the result would be a feature card having application(s) on the feature card that are run or executed directly from the feature and not loaded into the memory of the host device. Combining Shih and Garney results in even less software loaded from the feature card to the host device. This is contrary to what is claimed by Applicant in that both the basic module and the user interface module of Applicant's claims

are both loaded to the host device, for example, when the software is installed on the host device.

When "the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or suggestion appears in the reference". In re Rijckaert, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993). The Examiner is requested to provide an indication as to where any such teaching, suggestion or motivation to combine the references to achieve what is claimed by Applicant appears in the references. Absent such a teaching, it is submitted that *prima facie* case of obviousness over Shih and Garney under 35 U.S.C. 103(a) is not established.

Further, claim 2 recites that the basic module of the user interface software controls the execution of the second phase. The Examiner argues that this feature is disclosed in Shih in step (315) of Figure 3. However, as described above, the event monitor (210) of Shih is not part of the user interface software (i.e. application 220) of the flash card. Thus, the event monitor (210) of Shih cannot "control the execution of the second phase" as claimed by Applicant. Thus, claim 2 is patentable. The arguments described for claim 2 are equally applicable to claims 8, 16 and 22. Therefore, claims 8, 16 and 22 are patentable.

Claim 3 recites that the loading and start-up of the user interface module is initiated from the basic module. For reasons similar to those described with respect to claim 2, the event monitor (210) of Shih is not the same as the basic module claimed by Applicant. Thus, claim 3 is patentable. The arguments described for claim 3 are equally applicable to claims 9, 17 and 23. Therefore, claims 9, 17 and 23 are patentable.



Claim 5 recites when the expansion card is detached from the electronic device, the user interface module is halted and the basic module is kept in operation. The Examiner argues that in Shih the event monitor (210) is required to remain functional even if the card is removed. However, as noted above, the event monitor (210) is not the same as the basic module claimed by Applicant. Therefore, claim 5 is patentable. The arguments with respect to claim 5 are equally applicable to claim 19. Therefore, claim 19 is patentable.

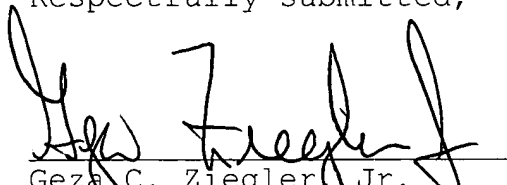
Claim 12 recites that the expansion card comprises a transmitter/receiver unit and a high frequency power amplifier. The Examiner argues that Garney discloses this feature at column 1, line 60 through column 2, line 4 and refers to the device driver disclosed therein. Garney defines device drivers as "software modules comprising processing logic for controlling the low level or device specific components of a particular computer system resource" and nothing more (Col. 1, L. 60-63). This is not the same as a transmitter/receiver unit and a high frequency power amplifier as claimed by applicant. Referring to page 9, lines 35-38 and Figure 1 of Applicant's specification, the transmitter/receiver unit refers to wireless communications, for example, applying the GSM standard. Nowhere does Shih or Garney, individually or in combination, disclose or suggest a transmitter/receiver unit as described and claimed by Applicant. Thus, claim 12 is patentable over the combination of Shih and Garney. The arguments described above with respect to claim 12 apply equally to claim 26. Thus, claim 26 is also patentable over the combination of Shih and Garney.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly

novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$790.00 is enclosed for the "RCE" fee. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
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5 June 2006  
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